

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

XIOMARA KING,

No. 3:17-cv-01959-JR

Plaintiff,

v.

DALLAS MENNONITE RETIREMENT  
COMMUNITY, INC.

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Papak<sup>1</sup> issued a Findings & Recommendation (#23) on June 27, 2018, in which he recommends the Court grant Defendant's motion to set aside an order of default. Plaintiff has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings &

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<sup>1</sup> After the filing of the Findings & Recommendation, this case was reassigned to Magistrate Judge Russo.

Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

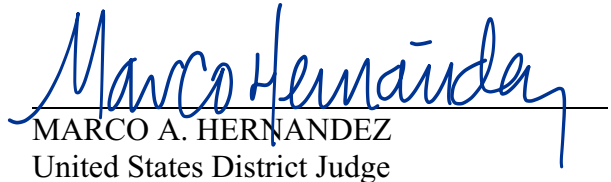
I have carefully considered Plaintiff's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [23], and therefore, Defendant's motion to set aside the order of default, [15] is granted.

IT IS SO ORDERED.

DATED this 19 day of Nov, 2018.

  
MARCO A. HERNANDEZ  
United States District Judge